



THE REGIONAL PLANNING COMMISSION

County of Los Angeles

MINUTES

Meeting Place: Room 150 Hall of Records
320 W. Temple Street
Los Angeles, California 90012
Meeting Date: October 5, 2016 - Wednesday

Time: 9:00 a.m.

Present:

Commissioners Shell, Smith, Louie, Pedersen, Modugno

Ex Officio Members:

Director of Public Works: Mr. Andy Narag, Senior Civil Engineer

County Counsel: Ms. Jill M. Jones, Senior Deputy

Planning Director: Mr. Sorin Alexanian, Deputy Director, Current Planning Division

Forester and Fire Warden: Janna Masi, Supervising Fire Prevention Engineer

PLEDGE OF ALLEGIANCE

1. The Pledge of Allegiance was led by Commissioner Smith representing the First Supervisorial District.

APPROVAL OF AGENDA

2. Motion/second by Commissioners Louie/Modugno – That the agenda for October 5, 2016 be approved.

At the direction of the Chair, the agenda was approved unanimously.

COUNTY COUNSEL REPORT

3. There were no reports given by County Counsel.

DIRECTOR/DEPUTY DIRECTOR

4. There were no reports given by Director/Deputy Director.

10/05/16

PUBLIC HEARINGS

Land Divisions

Action Taken as Noted

5. **(Continued from 08/31/16). Project No. R2015-03107-(3). Applicant: Vladimir and Luba Tomalevski. 18225 Coastline Drive. The Malibu Zoned District. a. Vesting Tentative Parcel Map No. 073804. To develop three residential condominium units on 0.23 gross (0.19 net) acres within the R-3 (Limited Multiple Residence) Zone. b. Minor Coastal Development Permit No. 201500112. To authorize a land division, three residential condominium units, within the Santa Monica Mountains Coastal Zone. c. Environmental Assessment No. 201500224. To consider a Negative Declaration as it has been determined that the project will not have a significant effect on the environment pursuant to CEQA reporting requirements.**

Mr. Rojas presented the staff report and stated that the applicant had redesigned the proposed project and reduced the building height to 30 feet to allow for better views from properties to the north and west. The residents at 18242 Wakecrest Drive stated the changes were an improvement in regards to their views. The residents at 18248 Wakecrest Drive stated the rear building of the proposed project was still too high and blocked their ocean views. The resident at 18321 Coastline Drive stated the rear building was too tall and would cast a shadow over his rear yard, and that the front building was not setback enough blocking ocean views.

Testimony was followed from Ms. Luba Tomalevska, the applicant in support of the project. She stated that she had met with the neighbors and lowered the rear building to 30 feet, and had moved the front wall setback of the front building, and has complied with all three requests by the Regional Planning Commission.

Three members of the public provided testimony stated they still opposed the redesign of the project.

Commissioner Shell stated that she appreciated that the applicant had made changes to improve the redesign but felt that Santa Monica Mountains Local Coastal Program Land Use Plan LU-35 requires that new development preserve views of the ocean. Commissioner Shell requested the front building be setback more to lessen the impact views of the ocean.

Motion/second by Commissioners Shell/Smith – That the item be continued to allow the applicant to increase the front setbacks.

At the direction of the Chair, the item was continued to Wednesday, November 16, 2016.

10/05/16

PUBLIC HEARINGS (Cont.)

Zoning Permits - East Section

Project Approved

6. **Conditional Use Permit No. 2016001299-(5). Applicant: ALDI, Inc. 2246 N. Lake Avenue. Altadena Zoned District. To authorize the sale of beer and wine for off-site consumption in conjunction with a previously approved grocery store in the C-3 (General Commercial), C-2 (Neighborhood Business) and P-R (Parking Restricted) zones. This project is categorically exempt (Class 3 – New Construction or Conversion of Small Structures) pursuant to CEQA reporting requirements.**

Mr. Nadela presented the staff report and read into the record modifications to 1) Condition No. 27 – The grant shall apply only to one retail business establishments or subtenants. However, the subject retail business may expand its operations to occupy additional floor area at the site. The subject retail business may also correspondingly expand its floor area allocated for alcohol sales by no more than 10%, or a new Conditional Use Permit (CUP) would be required pursuant to County Code Section 22.56.195.A.3.a, provided the shelf space for alcohol sales remains not more than five percent of the total shelf space of the establishment; and 2) Condition No. 28 – The permittee shall display alcoholic beverages only in the shelving designated for storage of said beverages as depicted on the "shelf plan" labeled Exhibit "A". No additional display of alcoholic beverages shall be provided elsewhere on the premises. The total shelf space devoted to alcoholic beverages shall be limited to not more than five percent of the total shelf space in the establishment. The display of alcoholic beverages shall also be limited to the back one-half portion of the establishment.

Testimony was followed from Mr. Paul Cornejo and Mr. Gene Detchemendy, applicant's representative in support of the project. Both representatives concurred and accepted the revised conditions as stated by Mr. Nadela. No members of the public were present for opposition, no rebuttal was required.

Motion/second by Commissioners Modugno/Louie – That the Regional Planning Commission close the public hearing and find that the project is categorically exempt pursuant to state and local CEQA guidelines and approve Conditional Use Permit No. RPPL20161299-(5) with findings and conditions with modifications as stated above.

At the direction of the Chair, the item passed unanimously. The appeal period for this item ends on Wednesday, October 19, 2016.

10/05/16

DISCUSSION AND POSSIBLE ACTION

Land Divisions

Action Taken as Noted

7. **(Continued from 08/03/16). (Appeal of Hearing Officer's Denial). Project No. 03-251–(5). Applicant: James C Rodgers (Sikand Engineering). 29046 Sand Canyon Road. Sand Canyon Zoned District. a. Tentative Tract Map No. 54372. To create one multi-family lot developed with 48 single-family residence detached condominium units, one open space lot, and one public facility lot on 12.45 gross acres within zone A-2-2 (Heavy Agricultural – Two Acres Minimum Required Lot Area). b. Zone Change No. ZC03-251. A request to change from zone A-2-2 (Heavy Agricultural – Two Acres Minimum Required Lot Area) to zone RPD-5,000-3.9U (Residential Planned Development – 5,000 Square Feet Minimum Required Lot Area – 3.9 Dwelling Units Per Acre). c. Conditional Use Permit No. CP03-251. To authorize grading and development on property that contains area with natural slope of 25 percent or more in an urban hillside management area and for a residential planned development in association with a zone change request. d. Environmental Assessment No. IS03-251. An environmental determination has not been made for this project.**

Mr. Jones presented the staff report and indicated that this project had four map revisions and subdivision committee meetings. The project received a total of 22 time extensions in which staff has made repeated attempts to inform the applicant of the information that was required to proceed with their project. Mr. Jones stated that staff has not received any information or materials to enable further project evaluation and was unable to process the application.

At the May 19, 2015 Hearing Officer meeting the applicant testified that gnatcatcher and spring surveys were being conducted as well as other studies, including a sewer area study, hydrology study, geotechnical study and a biological constraints analysis and that the oak tree report was being updated. The Hearing Officer continued to November 17, 2015 the item to allow the applicant to submit the above reports.

On November 17, 2015 testimony was received from the applicant's representative Mr. Matt Craig stated the passing away of the property owner and applicant Jay Rodgers of Jay Rodgers, Inc.

Mr. Jones stated that since no work with staff has taken place, and many extensions were granted a hearing was scheduled before the Hearing Officer for denial due to inactivity. The applicant timely filed an appeal of the Hearing Officer's denial.

10/05/16

DISCUSSION AND POSSIBLE ACTION (Cont.)

Land Divisions

The Hearing Officer concurred with staff and denied the project due to inactivity.

Testimony was followed from Aaron Clark, Matt Craig, and Henry Walsh, the applicant's representative in opposition to the denial. They stated that communication activity has been on-going with staff and that resubmittal of development plans reflect evidence of moving forward with the project. However, since the passing of Mr. Rogers owner of the project, the property was locked in probate and the consultants could not proceed forward.

Commissioner Modugno stated that this project has been lingering over thirteen years since August 19, 2003 and acknowledges that some activity has been taken and was sympathetic to the passing away of Mr. Rodgers but felt that a short continuance could be granted.

Motion/second by Commissioners Modugno/Louie – That the Regional Planning Commission continue the item to allow the applicant to submit the necessary documents to staff for their review prior to the continued hearing on December 7, 2016.

At the direction of the Chair, the item was continued to Wednesday, December 7, 2016.

PUBLIC COMMENT

8. Public comment pursuant to Section 54954.3 of the Government Code.

There were no requests by members of the public to address the Commission.

CONTINUATION OF REPORTS

9. Possible Call for Review of Decisions by Hearing Officer, pursuant to Section 22.60.200 of the Los Angeles County Code.

There were no items Called up for Review by the Commission.

10. Commission/Counsel/Director Reports

Commission

Request to cancel the Monday, November 21, 2016, regular meeting of the Regional Planning Commission.

10/05/16

CONTINUATION OF REPORTS (Cont.)

Commission

Motion/second by Commissioners Modugno/Smith - That the Regional Planning Commission cancel the Monday, November 21, 2016 meeting from the Approved Meeting Schedule. At the direction of the Chair, the item passed unanimously.

Director Reports

Ms. Elsa Rodriguez provide the Commission with a Report/Development Report Notice of Action on request for Administrative Coastal Development Permit No. RCD201500046, Project No. R2015-00651-(3).

She informed the Commission that the Director approved the application pursuant to County Code Section 22.44.940(E), 22.44.940(G) and 22.44.1020 for a new one-story covered patio, pergola, deck, outdoor shower, barbeque area with seating, a pool with ancillary equipment located in the rear yard of an existing single-family residence.

Ms. Rodriguez stated that pursuant to County Code Section 22.44.940(I)(2) if one-third or more of the full membership of the Commission so request, the issuance of an Administrative CDP shall not become effective, but shall, if the applicant wishes to pursue the application, be treated as a Major CDP application subject to all the provisions of the Santa Monica Mountains Local Implementation Program (LIP).

ADJOURNMENT

A recording of the testimony received and the discussions held at this meeting and a copy of all findings and resolutions acted upon by the Commission are on file in the Department of Regional Planning.

The Commission adjourned at 10:47 a.m. to Wednesday, October 19, 2016.



Rosie O. Ruiz, Commission Secretary

ATTEST

APPROVE



Laura Shell, Chair



Sorin Alexanian, Deputy Director
Current Planning Division